

**REMARKS****The Claims**

The status of the claims is as follows.

Original Claims 1-26 have been rejected under 35 U.S.C. 102(e) over Ito et al.

New Claims 27 and 28 have been added, which incorporate the subject matter of original Claims 7 and 17. No narrowing amendments have been made and no new matter has been added.

**Rejections over Ito et al.**

We respectfully submit that the solicited claims are not anticipated by Ito et al. (U.S. Patent No. 6,445,409).

We note that the filing date of Ito et al. is less than one year prior to the priority date of the instant application. Applicant respectfully reserves the right to provide a declaration under 37 C.F.R. 131 establishing a date of invention in this country prior to the filing date of the Ito reference.

Ito et al. discloses a method and apparatus for distinguishing, tracking, and monitoring a moving object. A plurality of classification methods are disclosed for detecting and classifying the objects.

We respectfully submit that Ito et al. does not disclose each and every element of at least certain aspects of the claimed invention. For example, the Ito reference does not disclose the capability to determine if one of the video frames in the video stream contains at least one selected object of interest and then generating a data representation only for those frames of video in which the moving object is detected.

As discussed in the Specification on pages 2-4 (and elsewhere), an object of the invention is to provide a motion video tracking filter for use in data reduction. Motion video data is one of the most useful yet one of the most resource intensive data types. While motion video can provide a large amount of data, often only a small portion of this data is relevant to a task being performed. The video data needs to be filtered to produce a data set that includes only objects of interest to the user. Such filtering allows processing to be performed only when it is needed – reducing processing time.

One manner in which this may be achieved is by "by determining if a current frame of the plurality of frames contains at least one selected object of interest; and if said current frame contains at least one selected object of interest, generating a data representation of said at least one selected object of interest and associating said data representation with said data set of said current frame; and if said current frame does not contain at least one selected object of interest, marking said data set for said current frame as empty" as recited in the solicited claims.

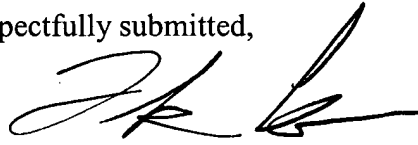
We respectfully submit that this is nowhere disclosed in Ito et al. The Ito reference does not disclose the determination of each frame of video as to whether or not to create a data representation and associate it with the data set for that frame or mark the set empty, as in the claimed invention. Ito et al. is silent as to any advantage to be gained by determining each frame in a plurality of frames of the video in the manner claimed.

In the Ito reference, a data representation is presumably created for each frame of the video stream and stored as a data set. The Ito reference does not disclose associating the data designation with a data set if the frame contains an object of interest and designating a data set as empty for each frame in which an object of interest is not detected.

Column 18, lines 16-33 of the Ito reference (relied upon by the Examiner) merely discusses the function of determining if a detected object is to be classified as one to be monitored or if it is to be discarded, and if so, then generating an alarm signal. The alarm/monitor display step 109 refers to "transmitting information to a guardsman...the alarm about the presence or absence of an intruder." (Column 17, lines 11-16). As noted in column 17, lines 3-6, "...[T]he output I/F 607 emits light indicating an alarm in an alarm lamp 610, while the image output I/F 608 displays an alarm on the monitor 611 (alarm/monitor display step 109)."

For the reasons set forth above, we respectfully submit that the solicited claims are in proper condition for allowance, which action is respectfully requested.

Respectfully submitted,



Frank A. Cona  
Registration No. 38,412

2/9/04  
Date

**MAILING ADDRESS:**

Frank A. Cona, Esquire  
Tyco Fire & Security Services  
One Town Center Road  
Boca Raton, FL 33486  
561-981-4366 (phone)  
561-892-0565 (facsimile)